

McGovern Legal Services, LLC
Marlena S. Diaz-Cobo, Esq.
850 Carolier Lane
North Brunswick, NJ 08902
Phone (732) 246-1221
Fax (732) 246-1872

ATTORNEYS FOR MARINA BAY CLUB CONDOMINIUM ASSOCIATION, INC.

In re:

MICHAEL RUBEL,

Debtor.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
IN PROCEEDINGS UNDER CHAPTER 13
OF THE BANKRUPTCY CODE

CASE NO.: 22-19771-MBK

**OBJECTION TO CONFIRMATION OF
DEBTOR'S CHAPTER 13 PLAN**

Creditor, Marina Bay Club Condominium Association, Inc. (the "Association"), by and through its counsel, McGovern Legal Services, LLC, hereby submits this objection to Debtor's plan of reorganization under Chapter 13 of the Bankruptcy Code. The Association's objection includes, but is not limited to the following:

I. THE PROPOSED PLAN DOES NOT INCLUDE PAYMENT OF THE ASSOCIATION'S SECURED CLAIM.

Debtor's proposed Chapter 13 Plan fails to properly identify and treat the Association's \$27,347.88 secured claim. The Association's proof of claim was timely filed on December 27, 2022.

Pursuant to 11 U.S.C. §1322(b)(2), the Chapter 13 Plan may "modify the rights of holders of secured claims, other than a claim secured only by a security interest in real property that is the debtor's principal residence" (emphasis added). As a result, the Association objects to

confirmation of Debtor's Plan since it does not provide for payment of the entire secured claim and the Lien is filed against the Debtor's principal residence.

Respectfully submitted,
McGovern Legal Services, LLC

Date: February 2, 2023

By: /s/Marlena S. Diaz-Cobo
MARLENA S. DIAZ-COBO, ESQ.

CERTIFICATION OF SERVICE

I, Marlana S. Diaz-Cobo, Esq., certify and state that this document was served upon the individuals and/or entities listed below by electronic mail on February 2, 2023. I am aware that if any of the statements made herein are willfully false, I am subject to punishment.

Respectfully submitted,
McGovern Legal Services, LLC

Date: February 2, 2023

By: /s/Marlana S. Diaz-Cobo
MARLENA S. DIAZ-COBO, ESQ.

SERVICE LIST

Via Electronic Service:

CLERK, UNITED STATES BANKRUPTCY COURT
402 East State Street
Trenton, NJ 08608
Telephone: 609-989-2200

Michael Rubel
c/o Benjamin Jamie Ginter, Esq.
34 Forest Avenue
Cranford, NJ 07016

TRUSTEE
Albert Russo
Standing Chapter 13 Trustee
CN 4853
Trenton, NJ 08650-4853

U.S. TRUSTEE
US Dept of Justice
Office of the US Trustee
One Newark Center Ste 2100
Newark, NJ 07102